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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/942,939  | 08/31/2001  | Min Scok Oh          | P-0261              | 8961             |
| 34610   | 7590        | 08/16/2004           | EXAMINER            |                  |
| FLESHNER & KIM, LLP<br>P.O. BOX 221200<br>CHANTILLY, VA 20153 |             |                      | LAMARRE, GUY J      |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2133                |                  |

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/942,939

Applicant(s)

OH, MIN SEOK

Examiner

Guy J. Lamarre, P.E.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/31/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/31/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

1. Applicants' IDS of 8/31/01 have been entered. The Examiner has considered the IDS.

1.1 Pursuant to 35 USC 131, **Claims 1-7** are presented for examination.

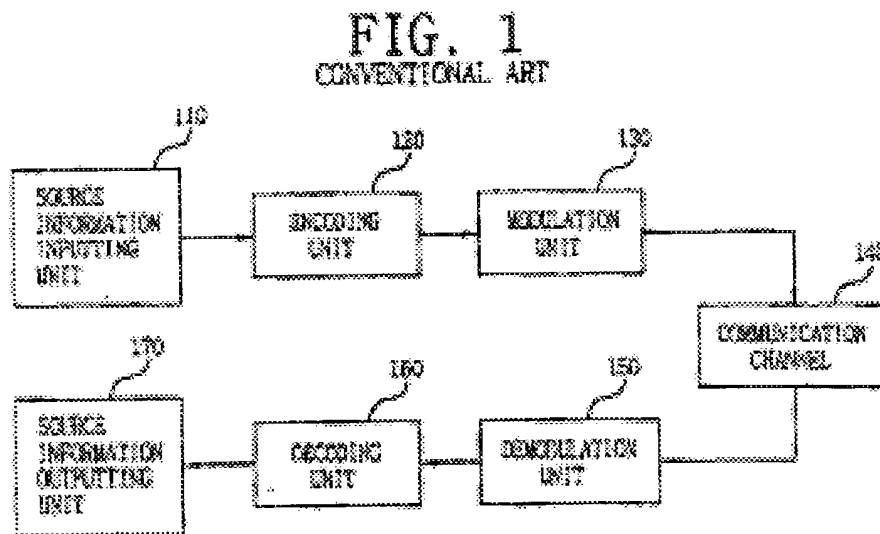
**Claim Rejections - 35 USC ' 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1 **Claims 1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Applicants' Admitted prior art** (hereinafter **Admitted prior art**) in view of **Jedwab et al.** (US Patent No. 6,373,859; filed: 8 May 1998).

As per **Claims 1-7**, **Admitted prior art** substantially discloses the claimed RS coding conversion means, in **Admitted prior** Fig. 1, comprising: encoding/decoding/trellis processing/modulation/demodulation means as seen in **Admitted prior** Fig. 1, and means for



generating binary equivalence of the code by multiplying systematic generator matrix (Fig. 2 for matrix representation) and binary information sequence of the code; and generating row and

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column vectors (Fig. 2 for matrix representation) using the binary equivalence of the code as a component code. {See **Admitted prior art** Figs. 1-2, and related description.}

**Not specifically described** in detail in **Admitted prior art** is the step whereby the code is Reed-Solomon or non-binary.

**However Jedwab et al.**, in an analogous art, discloses a generator matrix that converts plural non-binary sequences into binary sequences and vice versa for data processing. {See **Jedwab et al.**, Id., e.g., Fig. 13 and col. 72 line 1 et seq.}

**Therefore**, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the procedure in the **Admitted prior art** by including therein data conversion means as taught by **Jedwab et al.**, because such modification would provide the procedure disclosed in **Admitted prior art** with a technique whereby *"data processing hardware is optimized for plural binary and non-binary data streams to thereby reduce communications system costs."* {See **Jedwab et al.**, col. 72 line 45 et seq.}

#### **Abstract/Claim Objections**

3. The listed claims are objected to because of the following informalities:

Claims 3, 7 recite: "the communication channel, feedbacking' instead of 'a communication channel, feeding back.'

3.1 The abstract contains typos, e.g. 'a encoding, conversing, is reduced than.'

Appropriate correction is required.

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#### **Conclusion**

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

**or faxed to:** (703) 872-9306 for all formal communications.

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (703) 305-0755. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (703) 305-9595.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Guy J. Lamarre, P.E.  
Primary Examiner  
8/9/04

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